

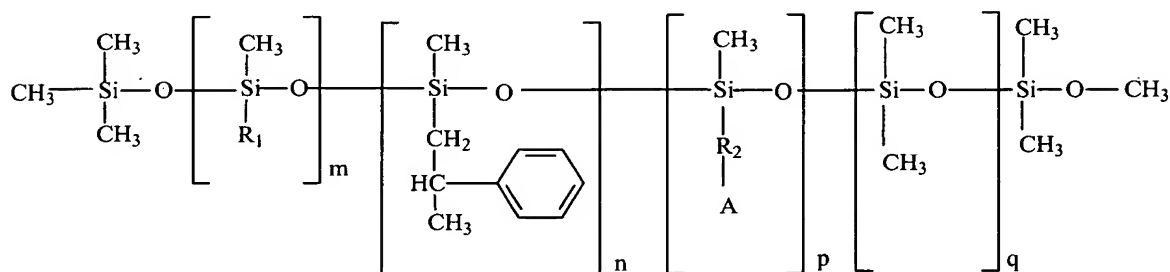
REMARKS

Claims 1-39 are rejected. Claims 1-39 are presently pending in the application. Favorable reconsideration of the application in view of the following remarks is respectfully requested.

Rejection Of Claims 1-39 Under 35 U.S.C. §103(a):

The Examiner has rejected Claims 1-39 under 35 U.S.C. §103(a) as being unpatentable over applicants' statement of the prior art for the reasons of record.

As previously stated, the use of release agents to reduce undesirable donor-receiver sticking is known in the art. However, use of the stick preventative agent of the formula:



in a thermal receiver element and print assembly was not previously known.

As can be seen from the attached Affidavit of Kung, the present invention provides unexpected results. Unexpectedly, samples utilizing a known polydimethylsiloxane slip agent of the formula shown in Attachment 1, result in sticking, when used in a thermal receiver element and print assembly. Based on this data, the use of known stick preventive agents is not predictive of success as a slip agent in a thermal receiver element and print assembly. However, polydimethylsiloxanes having the side groups m, n, p and q, as claimed, function as stick preventive agents, when other normally useful release agents do not. It is also unexpected that, when the stick preventive agent is used in both the receiver and the dye donor element, as presently claimed, an acceptable cyan toe is achieved (See pg. 25, Table 3, Sample E-1, as well as lines 16-19). Therefore the Applicants request the Examiner to reconsider, in light of these surprising results, and withdraw the rejection.

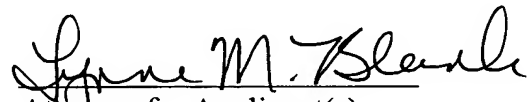
Rejection Of Claims 1-39 – Double Patenting

The Examiner has again provisionally rejected Claims 1-39 under the judicially created doctrine of double patenting over claims 1-34 of copending Application No. 10/729,567 for the reasons of record and further since SN 10/729,567 has not yet been abandoned.

Applicants have attached a copy of the Notice of Abandonment of SN 10/729,567, dated 1/11/2006.

It is believed that the foregoing is a complete response to the Office Action and that the claims are in condition for allowance. Favorable reconsideration and early passage to issue is therefore earnestly solicited.

Respectfully submitted,


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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.